

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TERRELL O'NEAL,

Plaintiff,

No. CIV S-04-0260 LKK JFM P

vs.

WHITE, et al.,

Defendants.

ORDER

_____/

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On March 8, 2006, this court recommended that plaintiff's action be dismissed because plaintiff had failed to file a third amended complaint as required by this court's November 18, 2005 order. On April 12, 2006, plaintiff filed objections. Good cause appearing, the March 8, 2006 findings and recommendations will be vacated and plaintiff will be granted an extension of time to file a third amended complaint that complies with this court's November 18, 2005 order. Accordingly, IT IS HEREBY ORDERED that:

1. The March 8, 2006 findings and recommendations are vacated; and

////

////

////

1 2. Plaintiff is granted thirty days from the date of this order to file a third
2 amended complaint.

3 DATED: April 18, 2006.

4
5 
6 UNITED STATES MAGISTRATE JUDGE

7 /mp:001
8 onea0260.vac
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26